

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
THURSDAY, MARCH 14, 2002**

PRESENT: Walter L. Alcorn, Commissioner At-Large  
Frank A. de la Fe, Hunter Mill District  
Joan M. DuBois, Dranesville District  
Janet R. Hall, Mason District  
Suzanne F. Harsel, Braddock District  
Peter F. Murphy, Jr., Springfield District  
Linda Q. Smyth, Providence District  
Laurie Frost Wilson, Commissioner At-Large

ABSENT: John R. Byers, Mount Vernon District  
John B. Kelso, Lee District  
Ronald W. Koch, Sully District  
Ilryong Moon, Commissioner At-Large

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The meeting was called to order at 8:23 p.m. by Chairman Peter F. Murphy, Jr.

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**COMMISSION MATTERS**

Commissioner Alcorn announced that the Environment Committee had reviewed and endorsed the proposed Noise Study Submission Guidelines which would be brought before the Planning Commission for consideration on Wednesday, March 20, 2002. Chairman Murphy noted that Commissioner Alcorn had been re-elected Chairman of the Environment Committee at tonight's meeting.

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Commissioner Wilson MOVED THAT THE DECISION ONLY ON S99-CW-TR2, OUT OF TURN PLAN AMENDMENT (COUNTYWIDE TRAILS), BE FURTHER DEFERRED TO A DATE CERTAIN OF APRIL 4, 2002, WITH THE RECORD REMAINING OPEN. She noted that the County Attorney had advised the Planning Commission that some of the proposed amendments may be beyond the scope of the advertised public hearing held on January 16, 2002, and would have to be readvertised if considered; therefore, staff needed more time to review all of the proposals.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Byers, Kelso, Koch and Moon absent from the meeting.

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Commissioner DuBois noted that the decision only on APR-01-II-40M concerning Lowell Avenue was scheduled for March 21, 2002.

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Commissioner DuBois welcomed Jeffrey McIntosh and Colin McElhaney, of Boy Scout Troop 1130, McLean, to the Planning Commission meeting. She noted that they were working on a Communications Badge.

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Commissioner Smyth noted that the Policy and Procedures Committee would meet on Wednesday, March 20, 2002 at 7:00 p.m. in the Board Conference Room to discuss the affidavit process, "features shown", and Out-of-Turn Plan Amendments for the Policy Plan.

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Commissioner DuBois reminded the Commission that the Capital Improvement Program (CIP) Committee would meet on Thursday, March 21, 2002 at 7:30 p.m. in the Board Conference Room.

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PCA-91-W-023-2 - FAIRFAX CO. BOARD OF SUPERVISORS

FDPA-91-W-023-3 - FAIRFAX CO. BOARD OF SUPERVISORS (Decision Only)

(The public hearing on these applications was held on March 7, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE PCA-91-W-023-2, SUBJECT TO THE EXECUTION OF THE DRAFT PROFFERS DATED MARCH 13, 2002.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Byers, Kelso, Koch and Moon absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE FDPA-91-W-023-3.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Byers, Kelso, Koch and Moon absent from the meeting.

Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE A VARIANCE TO ALLOW AN EIGHT-FOOT TALL WALL WITH A THREE-FOOT TALL OPEN DECORATIVE PERGOLA

ALONG JUDICIAL DRIVE PURSUANT TO THE PROVISIONS OF PARAGRAPH 8,  
SECTION 16-401 OF THE ZONING ORDINANCE.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioners Byers, Kelso, Koch and Moon absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order for the agenda items:

1. SE-01-M-037 - ZAFARALLAH KHAN
2. 2232-D01-31 - FAIRFAX COUNTY PARK AUTHORITY
3. PCA-1996-HM-046/FDPA-1996-HM-046 - T.N.T. CONSTRUCTION COMPANY

This order was accepted without objection.

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SE-01-M-037 - ZAFARALLAH KHAN - Appl. under Sects. 4-504 and 9-601 of the Zoning Ord. to permit a service station/mini-mart and modification/waiver of uses in a Commercial Revitalization District on property located at 5919 Columbia Pike on approx. 35,500 sq. ft. of land zoned C-5, HC, SC and CRD. Tax Map 61-2((1))120. MASON DISTRICT. PUBLIC HEARING.

Mr. David Hunter, agent for the applicant, reaffirmed the affidavit dated February 20, 2002. There were no disclosures by Commission members.

Ms. Tracy Swagler, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Hunter stated that the subject application had been filed last year requesting approval of a mini-mart, carwash and service station, but the request for the carwash had subsequently been withdrawn. He said the proposed streetscape had been designed in conjunction with the Baileys Crossroads Revitalization Plan and that there would be one entrance to the service station on Columbia Pike. He noted that elevation drawings of the development would be presented to the Mason District Land Use Committee at its next meeting. He explained that in response to concerns expressed by the Land Use Committee and citizens, development conditions had been added which addressed loitering, the sale of food outside the mini-mart by vendors of any kind, types of food which could be sold in the mini-mart, and provided for a "Do Not Block Entrance" sign on Lacy Boulevard. Mr. Hunter said he was confident that once the elevation drawings had been submitted to the Land Use Committee, the Planning Commission and the Board of

Supervisors would have no problem supporting the application. He said the proposed development would improve the site and requested a favorable recommendation.

Chairman Murphy called the first listed speaker and recited rules for testimony before the Commission.

Mr. Houston Summers, 5921 Summers Lane, Falls Church, President, Springdale Civic Association, said that subject site had been an eyesore for many years and that the proposed development would greatly enhance the Columbia Pike corridor. He said the community supported the application with the addition of development conditions as outlined by Mr. Hunter.

Commissioner Hall pointed out that Mr. Summers had been a member of the Mason District Land Use Committee for many years and thanked him for appearing tonight.

Mr. David Brock, 3530 Courtland Drive, Falls Church, said that although he agreed the property needed to be improved, the proposed development would add to traffic congestion. He questioned the need for another service station in the area with three others nearby. He also expressed concerns about the sale of alcoholic beverages, the carryout food operation, loitering, trash and illegally parked vehicles. He said he believed that a business establishment of a different type would be more appropriate.

Commissioner Hall noted that she would be deferring a decision on this matter until after the elevation drawings had been presented to the Mason District Land Use Committee. Addressing Mr. Brock's concerns, she said only pre-packaged food would be sold and that the sale of alcohol was prohibited by both the development conditions and the Zoning Ordinance. She agreed that the property was an eyesore and said she thought the applicant's proposal was a step in the right direction.

Ms. Swagler responded to questions from Commissioner Harsel about the size of the service station and mini-mart and from Commissioner Smyth about the height of the building.

There were no further speakers, therefore, Chairman Murphy called upon Mr. Hunter for a rebuttal statement.

Mr. Hunter said that the height of the building shown on the site plan was the maximum height anticipated and that the applicant intended to have a second story office.

In response to a question from Commissioner Hall, Mr. Hunter said that the existing service station of 1,980 square feet would be demolished and that a 1,034 square foot mini-mart would be constructed.

Continuing his rebuttal, Mr. Hunter said the applicant was committed to improving the property and eliminating the concerns articulated by the speakers. He explained that the applicant had requested a 50 foot wide entrance onto Columbia Pike, and although the maximum allowable

width was 40 feet, the Virginia Department of Transportation (VDOT) had indicated a willingness to work with the applicant on this issue. He pointed out that Development Condition Number 5, revised March 7, 2002, required that the entrance meet VDOT standards. He asked for clarification of Development Condition 6(a) requiring the applicant to reimburse the County for the cost of streetscape materials used on the property frontage.

Clarifying Development Condition Number 6(a), Ms. Swagler confirmed that the applicant would be responsible for reimbursing the County for the cost of streetscape materials if his development was completed after the County's Baileys Crossroad Streetscape Plan had been completed. She said if the applicant's development was completed prior to that project, all streetscape plans would have to be reviewed by the Department of Public Works and Environmental Services to ensure that the design and materials used were appropriate.

Mr. Hunter responded to questions from Commissioner Wilson about the number of service bays and how they would be accessed.

Commissioner Hall pointed out that Development Condition 6(a) was a standard condition and that she supported it.

In response to a question from Commissioner Harsel, Mr. Hunter said that although the original plan showed a mini-mart and a carwash, the carwash had been removed due to concerns about density. He said he would confer with the applicant and the engineer about reducing the height of the building by eliminating the proposed second story office.

There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner Hall for action on this item. (A verbatim excerpt is in the date file.)

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Commissioner Hall MOVED THAT THE DECISION ON SE-01-M-037 BE DEFERRED TO A DATE CERTAIN OF APRIL 4, 2002, WITH THE RECORD TO REMAIN OPEN FOR WRITTEN COMMENT.

Commissioner Wilson seconded the motion which carried unanimously with Commissioners Byers, Kelso, Koch and Moon absent from the meeting.

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2232-D01-31 - FAIRFAX COUNTY PARK AUTHORITY - Under provisions of the *Code of Virginia*, Sects. 15.2-2204 & 15.2-2232 to establish and construct a public park w/recreational facilities at 6319 Georgetown Pike., McLean. Tax Map 31-1((1))11. DRANESVILLE DISTRICT. PUBLIC HEARING.

Mr. David Jillson, Planning Division, Department of Planning and Zoning, presented the staff report a copy of which is in the date file. He noted that staff recommended that the Planning Commission find the proposed facility to be substantially in accord with the provisions of the Comprehensive Plan.

Mr. Thaddeus Zavora, Fairfax County Park Authority, stated that the 18.5 acre parcel of land had been donated to the Park Authority by Mrs. Adele Lebowitz. He said the park, which would be known as the Clemyjontri Park, had been named after Mrs. Lebowitz' four children, Caroline, Emily, John and Petrina. He explained that a public hearing had been held on May 15, 2001 by the Park Authority to obtain citizen input and comment on the plans for the site and that a citizen task force had been established to determine the best uses of the park. He noted that a General Management Plan and Conceptual Development Plan had been approved by the Park Authority Board on January 16, 2002, which would serve as a guide for future planning and development of the property. He pointed out that a key feature of the site would be a handicapped accessible playground and a carousel. He said it was imperative that the Park Authority be able to move forward as quickly as possible with the development of Phase I facilities, as part of the agreement with Mrs. Lebowitz, and requested favorable consideration.

At Commissioner DuBois's request, Mr. Zavora presented a rendering of the approved plan. He said Phase I development would consist of a parking lot, carousel, handicapped accessible playground, picnic shelter and restroom facilities, and that Phase II would consist of an access trail around the perimeter of the site, gardens and gazebos. He said a third area, located in the center of the site, would be a life estate for Mrs. Lebowitz and would eventually become a rental property for the Park authority.

Chairman Murphy called the first listed speaker.

Ms. Adrienne Whyte, 6704 West Falls Way, Falls Church, representing the McLean Citizens Association (MCA), expressed enthusiastic support for the proposed facility. She said the community was extremely grateful to Adele Lebowitz for the donation of the property to the citizens of Fairfax County and noted she would be honored on March 15, 2002 as MCA's Citizen of the Year.

Ms. Martha Glennan, 7216 Churchill Road, McLean, Dranesville representative to the Fairfax Area Disability Services Board, expressed support for the proposed park without reservation.

There were no further speakers. Mr. Zavora had no rebuttal remarks. There were no questions or comments from the Commission and staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner DuBois for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner DuBois MOVED THAT THE PLANNING COMMISSION DETERMINE, IN ACCORDANCE WITH *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED, THAT 2232-D01-31, BY THE FAIRFAX COUNTY PARK AUTHORITY, TO ESTABLISH AND CONSTRUCT A PUBLIC PARK, WITH RECREATION FACILITIES AND RELATED IMPROVEMENTS AT 6319 GEORGETOWN PIKE IN MCLEAN, BE FOUND SUBSTANTIALLY IN ACCORD WITH PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioners de la Fe and Wilson seconded the motion which carried unanimously with Commissioner Hall not present for the vote; Commissioners Byers, Kelso, Koch and Moon absent from the meeting.

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PCA-1996-HM-046/FDPA-1996-HM-046 - T.N.T. CONSTRUCTION COMPANY - Appls. to amend the proffers and final development plan for RZ-1996-HM-046 approved for residential development at a density of 1.92 du/ac to permit a cash contribution for recreational facilities in lieu of on-site tot lot on property located on the S. side of Lawyers Rd., approx. 100 ft. E. of its intersection w/Abbotsford Dr. on approx. 1.20 ac. zoned PDH-2. Comp. Plan Rec: 1-2 du/ac. Tax Map 38-1 ((41))A. HUNTER MILL DISTRICT. PUBLIC HEARING.

Robert Lawrence, Esquire, with Reed Smith, LLP, reaffirmed the affidavit dated February 13, 2002. There were no disclosures by Commission members.

Ms. Mavis Stanfield, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Commissioner de la Fe announced his intention to defer a decision on these applications at the close of the public hearing.

Mr. Lawrence stated that the applicant was requesting approval to permit a cash contribution for recreational facilities in lieu of an on-site tot lot, at the request of the residents of the seven lot subdivision. He submitted for the record a Statement of Support signed by all property owners, a copy of which is in the date file. He noted that \$1,050 per unit would be contributed to the Park Authority to be used for recreational facilities in a nearby park. He explained that Proffer B, concerning tree preservation and replacement, had been revised at the request of the Urban Forestry Division. Mr. Lawrence noted that all Final Development Plan development conditions had been fulfilled with the exception of the one pertaining to the tot lot, and requested favorable consideration.

In response to a question from Commissioner Wilson, Mr. Lawrence said the Urban Forestry Division would determine what type of replacement trees should be planted.

Chairman Murphy called for speakers from the audience.

Mr. Hugh Whitehead, Urban Forestry Division, said he was available to answer questions.

Responding to a question from Commissioner Wilson, Mr. Whitehead said overstory trees were medium to large deciduous trees and understory trees were small deciduous trees.

There were no other speakers. Mr. Lawrence had no rebuttal remarks and there were no further comments or questions from the Commission. Staff had no closing remarks, therefore, Chairman Murphy closed the public hearing and recognized Commissioner de la Fe for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ON PCA-1996-HM-046 AND FDPA-1996-HM-046 TO A DATE CERTAIN OF MARCH 21, 2002, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Hall not present for the vote; Commissioners Byers, Kelso, Koch and Moon absent from the meeting.

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The meeting was adjourned at 9:23 p.m.

Peter F. Murphy, Jr., Chairman

Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved on: September 10, 2003

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Mary A. Pascoe, Clerk to the Commission